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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,085	12/06/2000	Daniel J. Miller	MS1-642US	3091
22801	7590	03/30/2004	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			TRUONG, LECHI	
			ART UNIT	PAPER NUMBER
			2126	8

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,085

Applicant(s)

SD

Examiner

LeChi Truong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/02/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-33 are presented for examination. This office action is in response to the amendment filed 1/2/2004.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 11 and claim 20, it is unclear whether these are dependent or independent claims. Claims 1 and 2 are method claims. However, claims 11 and 20 are storage medium claims that depend on the method claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 10, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beranek et al (US Patent 6,226,642 BI) in view of Berstis et al (US Patent 6,510,458 BI).

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4. **As to claim 1**, Beranek teaches the invention substantially as claimed including one or more processing (a web document, col 2, In 2550/col 9,1 n 7-47/col 10, 21-67), development project (the browser, col 10, In 21-67/col 2, In 25501 col 13, In 40-67), chains (data stream, col 13, In 40-67), execution (running, col 2, In 19-53/ the dynamic HTML function may be activated upon given occurrence, col 10, In 21-5 5).

5. Beranek does not explicit teach caching those filter chains. However, Berstis teaches caching those filter chains (filtering the web page to determine then the currently web pages are saved to the cache, col 19, In 45- 67/ col 21, In 30-41).

6. It would have been obvious to on of the ordinary skill in the art at time invention was made to combine the teaching Braneck and Berstis because Berstis's filtering the web page to determine then the currently web pages are saved to the cache" would provide a small, fast memory holding recently accessed data and to speed up subsequent access to the data.

7. **As to claim 10, 11**, they are an apparatus claim of claim 1; therefore, they are rejected for the same reason as claim 1 above.

8. Claims **12, 13, 16-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Beranek et al (US. Patent 6,226,642 B I) .

9. **As to claim 12**, Bernanek teaches a source (a web document, col 10, In 20-67), a development project (the browser, col 10,1 n 21-67), chain (data stream (col 13, In 41-67).

Beranek does not explicit teach the term caching the source chain when it id not currently

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required in the development project. However, Beranek teaches the caching proxy receives the web documents then using the filtering mechanism 229 to determine the required web document (col 10, ln 21-67). It would have been obvious to one of the ordinary skill in the art at the time invention was made to apply the teaching of Beranek because Beranek's "the caching proxy receives the web documents then using the filtering mechanism 229 to determine the required web document" would save the entire web documents to the caches and then filtering the required web documents for the web browser to use.

10. **As to claim 13**, Beranek teaches the processing chain (the web document, col 10, ln 21-67), the development (the browser, col 10, ln 21-67).

11. **As to claim 16**, Beranek teaches a source processing chain/ a suitable processing chain (the document requested, col 12, ln 1-55), a caches (the cache, col 12, ln 1-55).

12. **As to claim 17**, Beranek teach processing chain (the web document, col 9, ln 7-47), the development project (the browser, col 9, ln 7-47).

13. **As to claim 18**, Beranek teaches one or more attributes (the web document/ one or more Characteristics, col 10, ln 21-67/ col 9, ln 7-4), the development project (the browser, col 10, ln 21-67/ col 9, ln 7-4).

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14. As to claims 19, 20, 21, they are apparatus claims of claims 4, 12; therefore, they are rejected for the same reasons as claims 4, 12 above.

15. Claims 2- 9, 14, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beranek et al (US. Patent 6,226,642 B1), in view of Berstis et al (US. Patent 6,510,458 B 1), in view of McLean (Data processing system and method for analysis of financial and non-financial value creation and value realization performance of provisioning of real-time assurance report), and further in view of McAllister (US. Patent 6,253,288 B I).

16. As to claim 2, Beranek teaches a sources (a web document, col 2, In 25-50/col 9,1 n 7-47/col 10, 21-67), one or more cache (col 12, In 1-39), the source (the document requested, col 12, In 1-39), the one or more processing chains (HTML stream, col 11, In 55-67).

17. Beranek and Berstis do not teach the next M seconds of the development project. However, McAllister teaches the next M seconds of the development project (the future event, col 2, In 44-62).

18. It would have been obvious to one of the ordinary skill in the art at time invention was made to combine the teaching of Beranek, Berstis and McLean because Mclean's the future event would measure and report future streams for all key stakeholders.

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19. Beranek and Berstis do not teach pointer location. However, McAllister teaches pointer location (a pointer col 4, ln 1-25/ col 3, ln 50-67/ Fig. 2).

20. It would have been obvious to one of the ordinary skill in the art at time invention was made to combine the teaching of Beranek, Berstis and McAllister because McAllister's pointer would retrieve the data from the address, which is equal or close to the address associated with the data.

21. **As to claim 3**, Beranek teaches the processing chain (a web page, col 11, ln 55-67/ col 12, ln 1-51/ col 13, ln 40-67), the caches (the cache, col 12, ln 1-40), the processing requirements of the development project (the user desires to obtain a web page/ the browser, col 12, ln 1-38).

22. **As to claim 4**, Beranek teaches one or more the processing object (the font of the data/ the sounds, col 12, ln 1-60/ col 9, ln 7-45).

23. **As to claim 5**, Beranek teaches a processing chain (data stream, col 13, ln 40-67).

24. **As to claim 6**, Beranek teaches a call (an HTTP get request, col 13, ln 1-51).

25. Beranek and Berstis do not teach a call as future call. However, McLean teaches a call as future call (the future event, col 2, ln 44-62).

26. It would have been obvious to one of the ordinary skill in the art at time invention was made to combine the teaching of Beranek, Berstis and McLean because McLean's the future event would measure and report future streams for all key stakeholders.

27. **As to claim 7**, McLean teaches future events for generating the outcome display (col 2, ln 44-62).

28. **As to claim 8**, Betnanek teaches a unique identifier (the HTML tag, col 10, ln 21-65/ col 13, ln 1-10/ col 9, ln 47-67).

29. Bernanek and Berstis do not teach a pointer. However, McAllister teaches a pointer (a pointer, col 4, ln 1-25/ col 3, ln 50-67/ Fig. 2).

30. It would have been obvious to one of the ordinary skill in the art at time invention was made to combine the teaching of Beranek, Berstis and McAllister because McAllister's pointer would retrieve the data from the address, which is equal or close to the address associated with the data.

31. **As to claim 9**, Beranek teaches a source file handle/ a source file name, a random numeric identifier (numerical attribute, col 13, ln 1-11).

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32. As to claims 14, 15, they are apparatus claims of claims 8, 9; therefore, they are rejected for the same reasons as claims 8,9 above.

33. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beranek et al (US. Patent 6,226,642 B 1) in view of Robinson (User communication and monitoring system for computer networks)

34. As to claim 22, Beranek teaches a plurality of sources (HTML data stream, Fig. 9), a processing chain (a web document, col 2, ln 25-50/col 9, ln 7-47/ col 10, 21-6), an interface (the client machine/ the hard drive 220, col 8, ln 6-67/ Fig.3), a development project (browser 223, Fig. 3), plurality of media source (audio data streams, col 14, ln 20-50), a point (running, col 2, ln 20-67), unload at least a subset of the chains when they are not required (filter 299 received all a web document from the server then a test can be used to identify the web document for use on the client browser, col 10, ln 21-68).

35. Beranek does not explicit teach generate a development project. However, Robison teaches generate a development project (generating at least one screen, page 1, ln 21-40)/page 2, left col, ln 1-40).

36. It would have been obvious to one of the ordinary skill in the art at the time invention was made to combine the teaching of Berane and Robinson because Robinson' s (generating at

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least one screen would support the opening of communication in any medium between any users and a server.

37. Claims **23-28, 30- 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Beranek et al (US. Patent 6,226,642 B 1) in view of Robinson (User communication and monitoring system for computer networks) in view of Thompson (US. Patent 5,961,602) and further in view of McLean (Data processing system and method for analysis of financial and non-financial value creation and value realization performance of provisioning of real-time assurance report)

38. **As to claim 23**, Beranek and Robinson do not teach load the processing chains if a current chain count does not exceed a threshold T. However, Thompson teaches load the processing chains if a current chain count does not exceed a threshold T (content is being downloaded to the cache form the servers if the activity level for the communication link is less than a threshold level, col 13, In 1- 18).

39. It would have been obvious to one of the ordinary skill in the art at time invention was made to combine the teaching of Beranek, Robinson and Thompson because the Thompson's "content is being downloaded to the cache form the servers if the activity level for the communication link is less than a threshold level" would and ensure the each of the servers of set has a fair share of opportunities to deliver content to the Web client.

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40. Beranek, Robinson and Thompson do not teach the next M seconds of the development project. However, McLean teaches the next M seconds of the development project (the future event, col 2, ln 44-62).

41. It would have been obvious to one of the ordinary skill in the art at time invention was made to combine the teaching of Beranck Robinson, Thompson and McLean because the McLean's the future event would measure and report future streams for all key stakeholders.

42. As to claim 24, Beranek teaches a processing chain (data stream, col 13, ln 40-67).

43. As to claim 25, Beranek teach identifies one or more currently loaded chains that can be unload (filter 299 received all a web document from the server then a test can be used to identify the web document for use on the client browser, col 10, ln 21-68).

44. As to claim 26, Beranek teaches identifier one or more currently loaded chains (a negative out come... passes the retrieved web document back to: server, col 10, ln 21-67).

45. As to claim 27, Beranek teaches the identified one or more chains will be required (if the outcome of the test is positive, col 10, ln 20-65/ col 11, ln 55-68), caches the identified chains (the modified HTML stream to the client proxy to cached, col 11, ln 55-68).

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46. **As to claim 28**, it is an apparatus claim of claim 14; therefore, it is rejected for the same reason as claim 14 above.

47. **As to claim 30**, Beranek teaches searching a cache of processing chains for a suitable match(retrieve information from the caches, col 12, In 1-50), a suitable match (the document request,col 12, In 1-50).

48. **As to claim 31**, Beranek teaches the processing chain (the HTLM document, col 10, In 21 - 46), memory with the processing project (the client browser, col 10, In 21- 46).

49. **As to claim 32**, Beranek teaches one or more attributes (one or more characteristics of original HTML, col 10, In 21-46), the processing project (the browser, col 10, In 21- 46).

50. **As to claim 33**, Beranek teaches one or more the processing object (the font of the data/ the sounds, col 12, In 1-60/ col 9, In7-45).

51. **Claim 29** is rejected under 35 U.S.C. 103(a) as being unpatentable over Beranek et al (US. Patent 6,226,642 B I) in view of Robinson (User communication and monitoring system for computer networks) and further in view of Sears (Browser proxy client application service provider (ASP) interface).

52. **As to claim 29**, Beranek teaches active project (the client browser, col 10, In 21- 46),

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chains (data stream, col 13, In 40-67).

Beranek, Robinson and Thompson do not explicit teach removes, caches the removed chains.

However, Sears teaches removes, caches the removed chains (a caching module configured to selectively capture the data... the captured data inaccessible to the corresponding user, col 17, In 26-67).

53. It would have been obvious to one of the ordinary skill in the art at time invention was made to combine the teaching of Beranek Robinson and Thompson and Sears because Sears would provide very high-speed presentation of substantially every image that has been presented to user from Internet access.

Response to the argument

54. Applicant amendment filed on 1/2/2004 has been considered but they are not persuasive.

55. In the remarks , applicant argued in substance that (1) “ nowhere does Beranek even remotely disclose or suggest “source processing claims” as that term is utilizes in the claims and defined in the specification. A cursory reading of application’s should indicate that a browser is not a “ development project” as that term is utilized in the specification”.

(2)” Beranek does not teach filer chains because Beranek does not, in fact, event remotely suggest filter chains as the term utilized in the specification”.

56. Examiner respectfully traversed applicant’s remarks:

As to point (1), Applicant cited in the remarks that the source processing is a source of digital data and source processing chains for a simplistic media rendering process. However, a source of digital data, source processing chains for a simplistic media rendering process and the development project in specification were not brought out in the claim limitation.

As to point (2), Bursitis teaches filter chains (filtering the web page to determine the currently web pages are saved to the cache (col 19, ln 45- 67/ col 21, ln 30-41). Applicant cited in the remarks “ a plurality of filters 102 –114 which read, process and render media content from a selected source file. As shown, the filter graph includes each of the types of filters described above, interconnected in a linear fashion”. However, those limitations of the filter chains as the term utilizes in specification was not brought out in the claim limitation.

57. *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

March 8, 2004


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